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REMARKS

This Amendment is in response to the final Office Action mailed on September 7, 2006. Claims 21, 24, 25, 27, 29, 33 and 37 are amended. Claims 23, 26 and 30 are cancelled without prejudice or disclaimer. Claims 39-42 are added. No new matter is added. Claims 21, 22, 24, 25, 27-29 and 31-42 are pending.

Amended Claims:

Claim 21 is amended to include the features of cancelled claims 23 and 26. Claim 24, 25 and 27 are amended to track amended claim 21.

Claim 29 is amended to include the features of cancelled claim 30. Claim 33 is amended to track amended claim 29.

Claim 37 is amended to editorially and is supported, for example, on page 6, lines 1-7.

New Claims:

Claims 39-42 are new. However, to expedite the prosecution of this case the following is noted.

Claim 39 is added and includes the features claims 21, 23 and allowable claim 24. Therefore claim 39 is in condition for allowance.

Claim 40 is added and includes the features of claims 21, 23 and allowable claim 25. Therefore claim 40 is in condition for allowance.

Claim 41 is added and is supported, for example, in the specification on page 10, lines 16-24 and page 15, lines 15-27 and Figure 1. Claim 41 is directed to an assembly that requires, among other features, a casing, a light detector and a transparent light conductor. The light conductor includes a first portion housed in the casing at least partially and a second portion projecting out of the casing. The second portion has a light emitting surface directed away from the light detector for allowing light to exit. Accordingly, light that exits the light emitting surface is reflected off an object before it is received by the receiving element, which in claim 41 is the light detector.

The Zissler prior art reference does not teach or suggest these features. Zissler is directed to a housing for the connection of an optical waveguide to an opto-electric converter. The September 7, 2006 Office Action interprets the housing (1) and the optical waveguide (3) as the casing and the light conductor, respectively of the present invention. However, for the optical waveguide (3) of Zissler to function correctly, light exiting the optical waveguide (3) must enter a receiving element directly. Thus, the optical waveguide (3) cannot be the light conductor that includes the light emitting surface of claim 41, because light that exits out of the light emitting surface is directed away from the light detector. Accordingly, claim 41 is in condition for allowance.

Claim 42 is added and is supported, for example, in the specification on page 25, lines 1-6 and page 28, line 23-page 29, line 7 and Figure 8. Claim 42 is similar to claim 41 and is also directed to an assembly that requires, among other features, a casing, a light detector and a transparent light conductor. The light conductor of claim 42 differs from claim 41 in that it includes a first transparent member housed in the casing at least partially and a second transparent member projecting out of the casing. The second transparent member has a light emitting surface directed away from the light detector for allowing light to exit. Accordingly, light that exits the light emitting surface is reflected off an object before it is received by the receiving element, which in claim 42 is the light detector.

Similar to the discussion above, with respect to the light conductor of claim 41, the Zissler prior art reference does not teach or suggest the features of claim 42. Zissler is directed to a housing for the connection of an optical waveguide to an opto-electric converter. The September 7, 2006 Office Action interprets the housing (1) and the optical waveguide (3) as the casing and the light conductor, respectively of the present invention. However, for the optical waveguide (3) of Zissler to function correctly, light exiting the optical waveguide (3) must enter a receiving element directly. Thus, the optical waveguide (3) cannot be the light conductor that includes the light emitting surface of claim 42, because light that exits out of the light emitting surface is directed away from the light detector. Accordingly, claim 42 is in condition for allowance.

§102(b) Rejections:

Claims 21-23, 29, 31, 32, 36 and 37 are rejected as being anticipated by Zissler (DE Patent No. 19804031). This rejection is traversed.

Claim 21 is amended to include the features of allowable claim 26. Therefore, the rejection to claim 21 is now moot and should be allowed. Claim 22 depends from claim 21 and is allowable for at least the same reasons. Withdrawal of this rejection is requested. Applicants do not concede the correctness of this rejection.

Claim 29 is amended to include the features of allowable claim 30. Therefore, the rejection to claim 29 is now moot and should be allowed. Claims 31, 32, 36 and 37 depend from claim 29 and are allowable for at least the same reasons. Withdrawal of this rejection is requested. Applicants do not concede the correctness of this rejection.

Conclusion:

Applicants respectfully assert claims 21, 22, 24, 25, 27-29 and 31-42 are now in condition for allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.



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Respectfully submitted,

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